

AGENDA

**INDIANAPOLIS AIR POLLUTION CONTROL BOARD
Room 107 City-County Building
9:30 A.M. March 13, 2003**

- 1) PUBLIC HEARING
- 2) CALL TO ORDER - REGULAR MEETING
- 3) ADOPTION OF AGENDA
- 4) ANNOUNCEMENTS
 - a) Introductions - Angelique Oliger
- 5) APPROVAL OF MINUTES
 - a) February 13, 2002
- 6) STAFF REPORTS - January 2003
 - a) Activities
 - a) Air Monitoring
 - b) Permitting
 - c) Compliance
 - d) Enforcement
 - e) School 21
 - f) Ozone Flex
- 7) UNFINISHED BUSINESS
 - a) Update on Off Road Diesel Sources
- 8) NEW BUSINESS
- 9) ADJOURNMENT

**NEXT MEETINGS:
ORDINANCE REVIEW COMMITTEE
Room 107 City-County Building
8:30 A.M. April 10, 2003**

**BOARD MEETING
Room 107 City-County Building
9:30 A.M. April 10, 2003**

**Web Site Address
www.indygov.org/ermd**

For current Air Quality information, please call (317) 327-4AIR (4247).

For ozone information, please visit our website at www.knozone.com.

**There will not
be an
Ordinance Review
Committee
Meeting
on
March 13, 2003**

PRELIMINARY MINUTES - February 13, 2003
INDIANAPOLIS AIR POLLUTION CONTROL BOARD
CITY OF INDIANAPOLIS

The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled meeting on February 13, 2003 at 9:30 a.m. in Room 107 of the City-County Building.

THOSE PRESENT WERE:

Robert Daly, Chairman
Bernie Paul, Vice Chairman
Dennis Achgill, Member
Chuck Fraley, Member
Roland Salman, Member
Bruce Wallace, Member
Tom Rarick, Member
John Chavez, Technical Secretary
Matt Senseny, Board Counsel

ABSENT:

Bill Brown, Member
Tom Barnard, Member

GUESTS PRESENT:

Wade Kohlmann, Citizens Gas & Coke Utility
Richard Van Frank, Improving Kid's Environment
Peter Lorenz, Indiana Veneers
Denise Curtis, National Starch
Pam Thevenow, Marion County Health Department
Bill Beranek, Indiana Environmental Institute
Paul Whitmore, Department of Public Works

RE: CALL TO ORDER - REGULAR MEETING

Dr. Robert Daly called the meeting to order.

RE: ADOPTION OF AGENDA

Dr. Daly solicited modifications to the Agenda. There were two (2) additions presented by Mr. Bernie Paul and Dr. Daly.

1. Under item (7) New Business (a), Preliminary Adoption of Regulation 1-2-3.
2. Under item (5) Staff Reports (g), Update of Ordinance Review Committee (ORC) meeting.

Mr. Bruce Wallace made a motion the Agenda be adopted as amended. Mr. Tom Rarick seconded the motion and said motion carried.

RE: ANNOUNCEMENTS

There were none.

RE: APPROVAL OF MINUTES

Dr. Daly solicited modifications to the Minutes for the January 9, 2003 meeting. The Board requested a clarification be made on page five (5) where it states " They still have questions, which is understandable because of the nine counties only Marion County has been in non-attainment." It was decided the sentence should read " They still have questions, which is understandable because of the nine counties only Marion County has been in non-attainment **for the one-hour standard.**" Mr. Wallace made a motion that the

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Minutes be approved as amended. Mr. Dennis Achgill seconded the motion and said motion carried.

RE: STAFF REPORTS - December 2002, Monthly Activities Report

(Air Monitoring Activities Report)

Mr. Aaron Childs updated the Board on the Air Monitoring Activities for December 2002. He stated the Air Quality Index (AQI) for December 2002 was in the good and moderate categories.

Mr. Childs referred to page five (5) of the Air Monitoring report, which indicates that all of the sites are exceeding the annual standard for PM 2.5 in 2002. The only exception is site 43. However, that site was down for approximately a quarter of the year due to a roof replacement on the building where the monitor is located. The data collected 2002 will be data used to determine attainment or non-attainment status.

Mr. Childs distributed a summary of data for PM 2.5, PM10, Air Quality Readings for 2002, and Valid Data Return for 2002. He stated the PM 2.5 averages have stayed much the same over the past three (3) years. There is a definite trend indicating PM 10 is improving. There are more readings taken April through October which is also the ozone season. The Valid Data Return indicates the number of valid data points collected in 2002.

The Board inquired what is the federal standard the City is held to for valid data return. Mr. Childs stated 75% is the minimum that is required.

The Board stated the trend is very useful to see on PM 10. They inquired if staff knew why there has been such a significant decrease in PM 10. It was discussed that the credit for the decrease could be because businesses are running more efficiently and the number of construction and modification permits that have been issued. Fuel combustion is also cleaner now than it was ten (10) years ago. The Board stated as the City approaches future challenges of PM 2.5, it will be helpful to understand what has caused the improvements.

(Permit Activities Report)

Ms. Monica Dick updated the Board on the Permit Activities Report for December 2002. There were six (6) permit decisions made and fourteen (14) applications for various types of permits received in December 2002. The decisions made included one (1) Title V permit issued to Commercial Finishing and a FESOP Renewal for National By-Products, Inc. The Board inquired what type of equipment does Genuity have that would require a permit. Ms. Dick stated she would research and report back to the Board at the next meeting.

The Board inquired about the status of outstanding applications. The Board referred to the number of outstanding applications compared to the number of permits issued. Based on the information contained in the Permitting Activity Report, the Board is concerned that the rate of issuance is not addressing the number of outstanding. Mr. Chavez stated a revised report would be available at the next meeting that will reflect a new tracking system that will more accurately reflect the applications received and decisions made by OES.

Mr. Rarick stated from his experience OES staff works with companies in terms of schedules for beginning construction and are sensitive to those timelines set by companies.

Ms. Pam Thevenow of the Marion County Health Department inquired about the National By-

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Products permit that was issued. She asked if during the permit process, if there is an opportunity to look at odor complaints. Ms. Dick stated the permit regulations do not provide authority to incorporate odor conditions into the permit. However, if there is a past Agreed Order requiring odor controls that would be incorporated as a condition in the permit.

TITLE V: There were Fifteen (15) in process, one (1) issued, and zero (0) received in December 2002.

FESOP's: There were six (6) in process, zero (0) issued, and zero (0) received in December 2002.

FESOP Renewal: There were twenty-four (24) in process, one (1) issued, and zero (0) received in December 2002.

SSOA's: There was four (4) in process, zero (0) issued, and zero (0) received in December 2002.

CONSTRUCTION PERMITS/MODIFICATIONS: There were thirty-nine (39) in process, zero (0) issued, and zero (0) received in December 2002.

TITLE V AND FESOP MODIFICATIONS/AMENDMENTS: There were forty-two (42) in process, one (1) issued, and seven (7) received in December 2002.

MINOR SOURCE OPERATING PERMITS, MODIFICATIONS/AMENDMENTS: There were thirty-two (32) in process, two (2) issued, and four (4) received in December 2002.

EXEMPTIONS & Registrations: There were eleven (11) outstanding, one (1) issued, and three (3) received in December 2002.

PERMIT BY RULE: There were zero (0) outstanding, one (0) issued, and zero (0) received in December 2002.

(Stationary Source Compliance Activities)

Mr. Matt Mosier updated the Board on the Compliance Activities Report for December 2002. During the month of December, compliance staff inspected four (4) Title V and seven (7) FESOP sources. There were several sources flagged. Marathon Ashland was issued a Notice of Violation (NOV). St. Francis Hospital and Raytheon were issued Warning Letters. The other sources flagged are still being reviewed. There were five (5) stack tests observed during the month as well. There were no problems observed.

The year to date totals are as follows:

Inspections completed for Clean Air Act Permit Sources	81
Inspection completed for Non-Title V Permit Sources	4
Number of Sources Flagged	19
Percentage Rate of Sources Flagged at Inspection	22%
Number of Compliance Reports Quality Assured	926
Number of Stack Test/CEM observed	46

Twelve (12) sources were flagged for failure to log or perform compliance monitoring. Three (3) sources were flagged for failure to obtain proper permit approval. Two (2)

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sources were flagged for failure to take corrective action for exceeding a compliance monitoring parameter. One (1) source was flagged for exceedence of a regulatory requirement. One (1) source was flagged for failure to submit notification of an initial start up.

There were forty-six (46) stack tests observed in 2002, which encompassed thirteen mixed sources. There was one (1) potential violation.

Mr. Mosier updated the Board on the invoicing that just occurred for Title V sources. The Board inquired if the City has taken over the invoicing for Title V sources. Mr. Chavez stated OES produced the final invoices for 2003. He had a preliminary discussion with IDEM regarding continuing this in the future.

The Board thanked staff for the thorough year-end report given and asked that it be reflected in the meeting minutes.

(Notice of Violation/Agreed Judgement Activities Report)

Ms. Cheryl Carlson updated the Board on the Enforcement Activities Report for December 2002. During the month of December two (2) Warning Letters were issued. There was also one (1) source conference held.

The State issued a NOV to Mead Westvaco Corporation Indianapolis Plant for failure to submit emission-reporting information. The City also issued a NOV for the same violation, which appeared on last month's report. OES staff have been working with both the State and the company to resolve this issue.

New Information:

Anselm Construction and Demolition, Inc. - Hearing was held on November 21, 2002. Staff received the Hearing Officer's Finding of Fact on January 12, 2003. The Hearing Officer assessed a penalty of \$5000.00.

B&W Auto Sales - A Compliance Agreement was signed on December 21, 2002 and a penalty of \$1,000.00 was assessed.

CMW, Inc. - A Hearing has been scheduled on February 20, 2003.

D & N Liquor Store - A Compliance Agreement was signed by the company on January 14, 2003.

Double 8 Foods, Inc. - A Proposed Compliance Agreement was sent to the company on December 4, 2002. The company ceased operation of all six (6) incinerators.

Hawk's Auto Sales - A Compliance Agreement was signed by the company on December 3, 2002 and a penalty of \$1000.00 was assessed.

Hunt Paving, Inc. - A Compliance Agreement was signed by the company on December 5, 2002 and a penalty of \$1500.00 was assessed.

Indiana University-Purdue University at Indianapolis - A source conference has been scheduled for next week. The Notice of Violation issued to IUPUI is for failure to get a thorough inspection prior to renovation work. This Notice of Violation is related to Smoot Construction, LLC.

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Jackson Oil and Solvents, Inc. - A Compliance Agreement was signed by the company on November 25, 2002 and a penalty of \$500.00 was assessed.

Jet Star, Inc. - A Compliance Agreement was signed by the company on December 6, 2002 and a penalty of \$1000.00 was assessed.

Marathon Ashland Petroleum - A source conference is scheduled for February 14, 2003.

Prairie Material Sales, Inc. - A Notice of Violation was issued for failure to submit a relocation request.

Weihe Construction, Inc. - A Compliance Agreement was signed by the company on December 12, 2002 and a penalty of \$1000.00 was assessed.

(School 21)

Mr. Chavez stated a meeting with the work group was held in January 2003. The meeting was to discuss the activities of the School 21 project. IDEM provided an update regarding the set-up and implementation of the monitoring equipment at School 21. Data collection should commence in early March 2003. Staff is in the process of scheduling a technical meeting with EPA, IDEM and the stakeholders regarding the details of the monitoring.

Mr. Chavez and Mr. Mike Brooks of IDEM met with the South East Community Organization (SECO) in late January 2003 to address their concerns and bring SECO up to speed with where the City is in the process. SECO provided Mr. Chavez valuable information regarding the implementation of the health survey and gave some guidance how the City may more effectively administer the survey. A meeting will be scheduled with IDEM and MCHD to discuss the information.

A meeting has been scheduled with IDEM and EPA to discuss the assessment of Citizens Gas and Coke Utility for emission reduction opportunities and confidentiality issues. The next School 21 meeting is scheduled for March 12, 2003 from 2:00 p.m. to 4:00 p.m. at the DPW Training Center located at 2700 South Belmont Avenue.

(Ozone Flex Program)

Mr. Chavez updated the Board on the Ozone Flex Program. He stated an Early Action Compact (EAC) was submitted to the Environmental Protection Agency (EPA) on December 31, 2002. Mr. Chavez and Ms. Jodi Perras met with the Deputy Administrator of EPA Region V to discuss the EAC. EPA has not yet approved the EAC. There are issues that still need to be resolved. Specifically, there were timeframes in the EAC that were not consistent with the guidance that was provided by the EPA. One of the deviations was an internal milestone for the implementation of the controls. The guidance requires the controls be implemented by December 31, 2005. The City put in a date of April 1, 2006 (a four-month delay) but still before the ozone season. There was also a deviation on the final attainment date of December 31, 2007. The City used December 31, 2008 in the EAC because there will not be three (3) years of quality assured data which is required to demonstrate attainment, until December 31, 2008.

On February 10, 2003 there was an initial kick-off meeting with the stakeholders that have signed on to the EAC. Both Boone and Morgan County have signed on and the City has received word that Johnson County is interested in participating. At the meeting there was discussion on where the status of the EAC, what needs to be done, organizational

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structure, and how the process will work. The Indiana chapter of the American Lung Association is also sending in a letter in support of the process.

Mr. Paul and Mr. Achgill attended the kick-off meeting. Mr. Paul stated it was a good meeting with a lot of good discussions. It was helpful to have the facilitators from Sonneschein, Nath & Rosenthal at the meeting.

Mr. Dick Van Frank of Improving Kid's Environment stated the City should be commended for being able to establish such a large stakeholder group to attack the ozone problem.

(Update of Ordinance Review Committee Meeting)

Dr. Daly updated the Board on the Ordinance Review Committee (ORC) meeting held prior to the APCB meeting. The purpose of the meeting was to address the incorporation by reference of the state rules. The ORC recommends the incorporation by reference take place every six months (January 1 and July 1 of each year). A memo was distributed listing the specific regulations included by the proposed incorporation by reference.

Dr. Daly solicited the Board to preliminarily adopt the updated incorporation by reference of the Regulation 1-2-3. This incorporation by reference adopts Title 326 Indiana Administrative Code and all amendments, additions and appeals on file with the Indiana secretary of State through 12/10/2002 and published 01/01/2003 unless otherwise indicated in a particular regulation. Mr. Wallace made a motion to adopt the proposed changes to Regulation 1-2-3 to update the incorporation by reference of Indiana Department of Environmental Management rules through January 1, 2003. Mr. Achgill seconded the motion and said motion carried.

A public hearing will be scheduled for March 13, 2003 at 9:30 a.m. in room 107 City-County building. This notice will appear in the Indianapolis Star ten (10) days prior to the hearing.

RE: UNFINISHED BUSINESS

(Discussion on Off Road Diesel Sources)

A memo was distributed to the Board as a follow-up to their questions at the last APCB meeting regarding diesel emissions from off-road vehicles. Mr. Chavez stated staff did contact the American Farm Bureau. The Bureau is aware of the rule making and are waiting until it is proposed before they make any comments. However, they were not aware of the newspaper articles cited in the memo. Based on staff assessment, the rule will have an impact on the surrounding counties where there is a greater reliance on agriculture with the use of large off road diesel engines.

The Board requested this be left as an agenda item for the next APCB. This will allow time for the Board to review the memo.

RE: NEW BUSINESS

There was none.

RE: ADJOURNMENT

Mr. Wallace made a motion the meeting be adjourned. Mr. Chuck Fraley seconded the motion

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and said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on March 13, 2003 at 9:30 A.M. in room 107 City-County Building.

AIR POLLUTION CONTROL BOARD

Dr. Robert Daly, Chairman

ATTEST:

John B. Chavez, Technical Secretary
Indianapolis Air Pollution Control Board

Date: _____

January 2003
Monthly
Air
Quality
Management
Activities

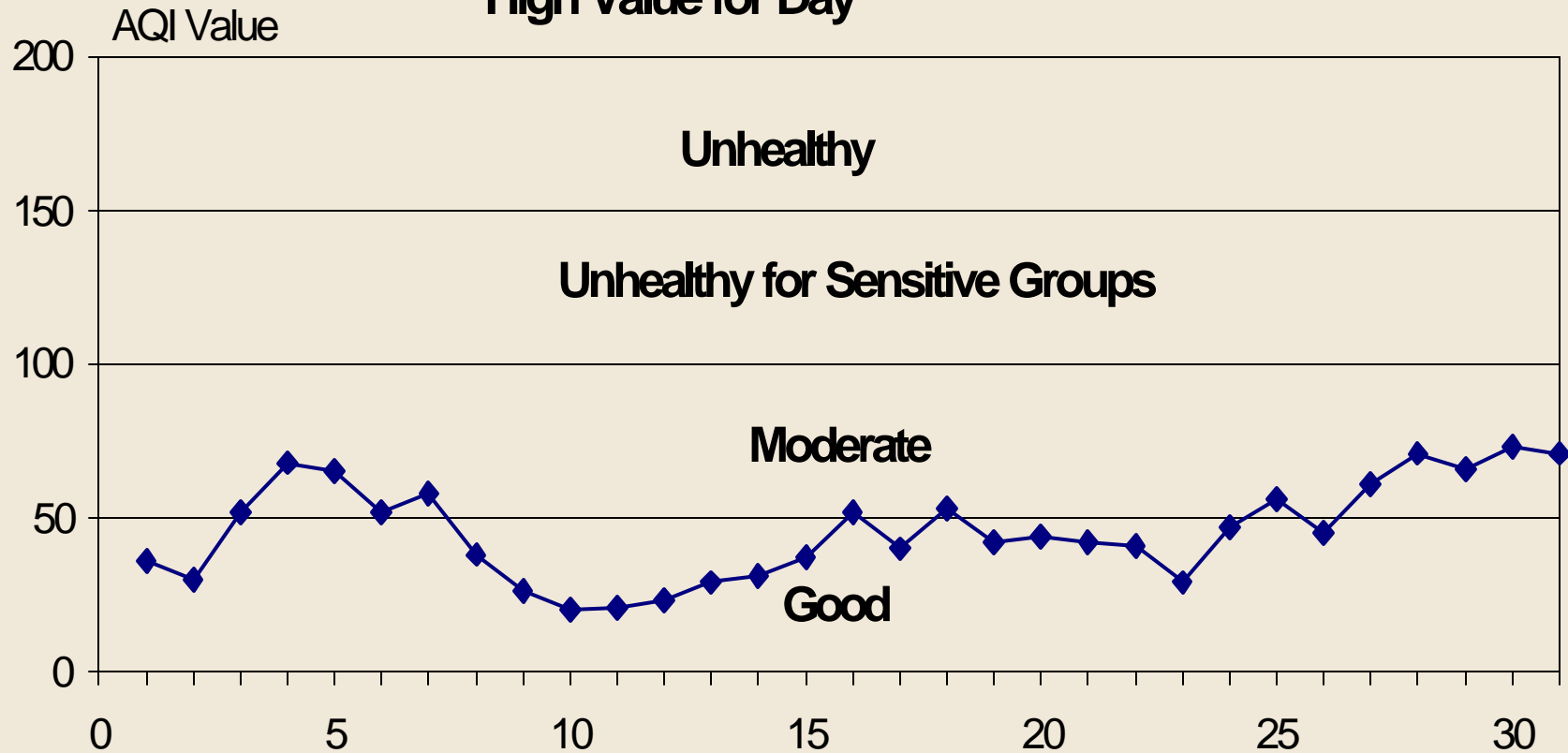
Office of Environmental Services

Central Indiana

Air Quality Index

January 2003

High Value for Day



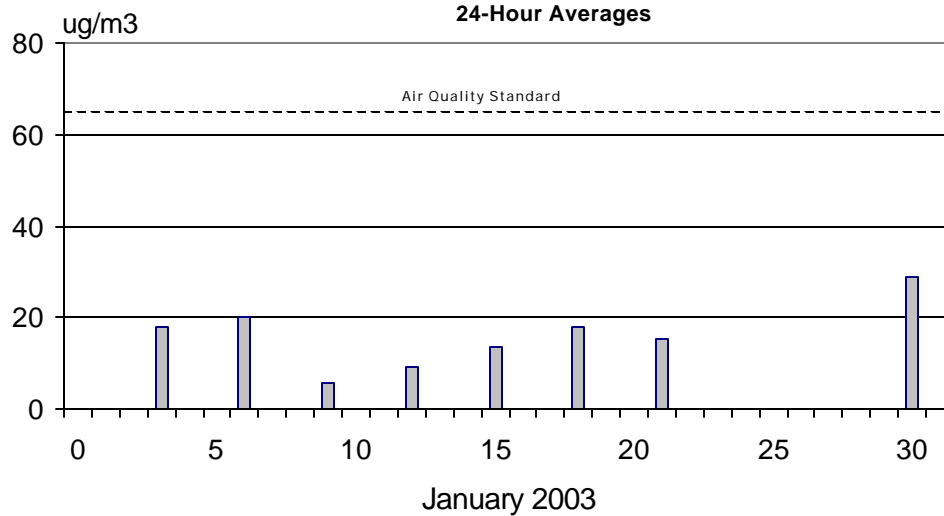
Pollutants included: O₃, SO₂, CO, PM_{2.5}

For hourly updates of AQI values go to: www.indygov.org/ermd/airquality.htm or call 327-4AIR

Particulate Matter 2.5

South West Street

DPW Facility



Site 2

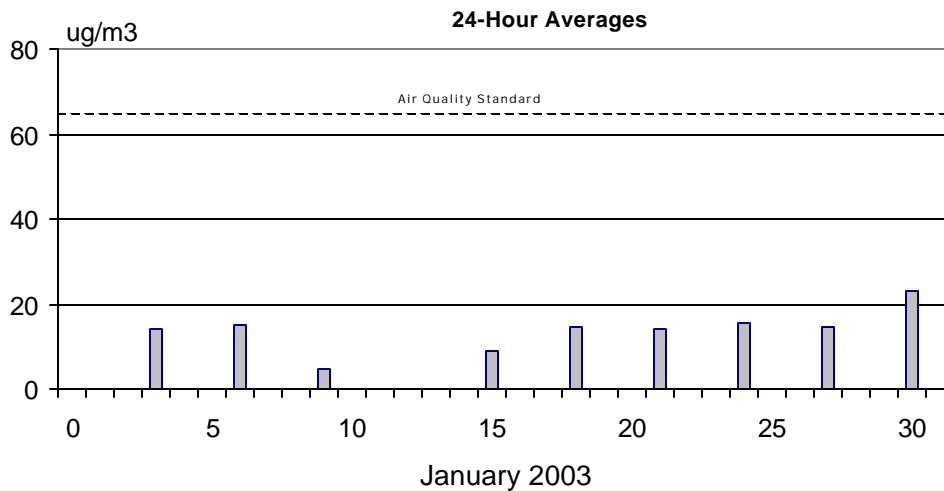
Monthly YTD

1st High	28.7	28.7
2nd High	20.2	20.2

Particulate Matter 2.5

8327 Mann Road

Southwestway Golf Course



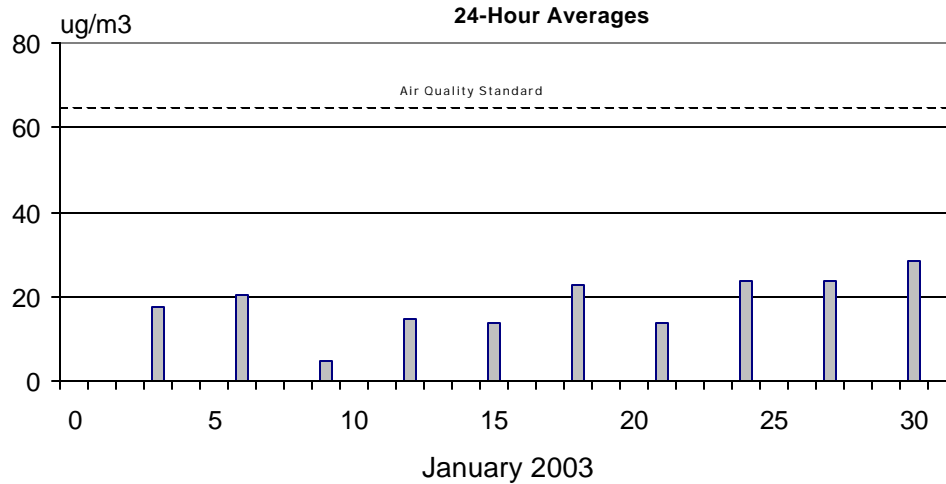
Site 19

Monthly YTD

1st High	23.1	23.1
2nd High	15.3	15.3

Particulate Matter 2.5

English Avenue



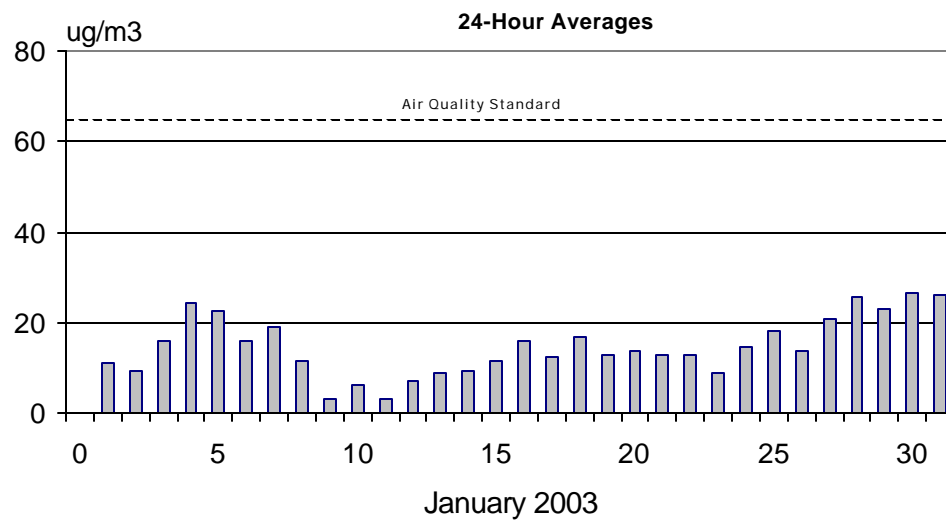
Site 11

	Monthly	YTD
1st High	28.5	28.5
2nd High	23.6	23.6

Particulate Matter 2.5

Washington Park

Police Station



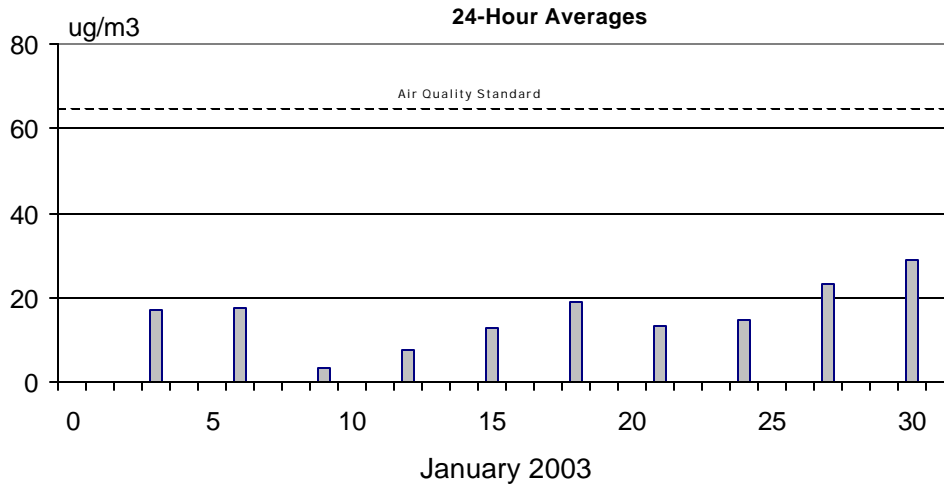
Site 41

	Monthly	YTD
1st High	26.7	26.7
2nd High	25.9	25.9

Particulate Matter 2.5

West 18th Street

School 90



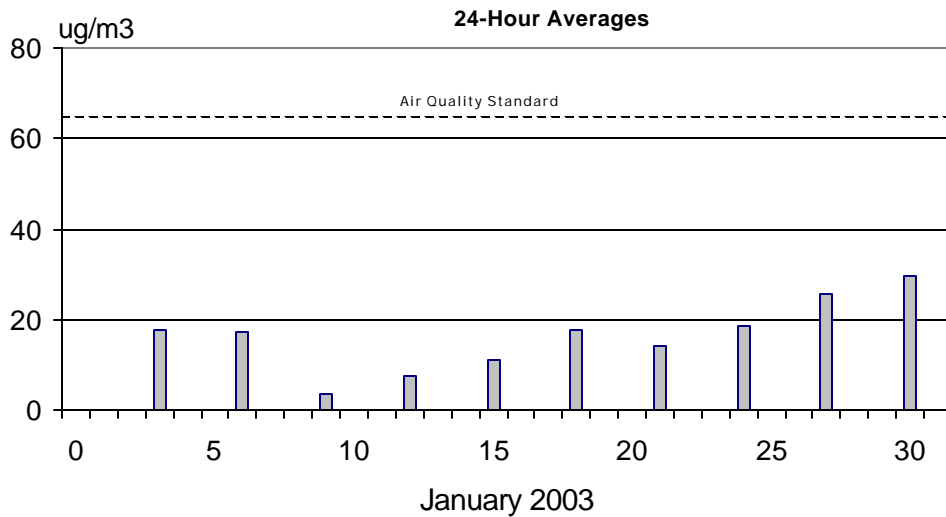
Site 43

	Monthly	YTD
1st High	29.0	29.0
2nd High	23.4	23.4

Particulate Matter 2.5

East Michigan Street

School 15



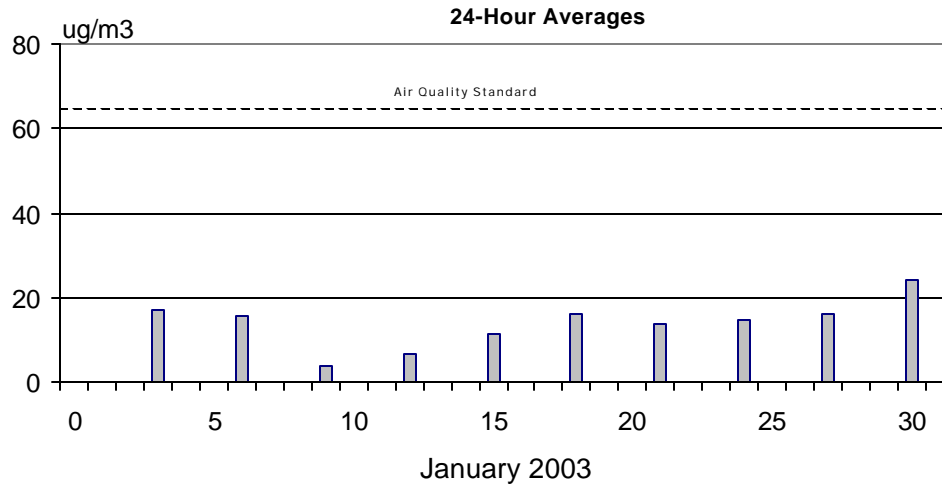
Site 44

	Monthly	YTD
1st High	29.8	29.8
2nd High	25.5	25.5

Particulate Matter 2.5

7250 East 75th Street

McKenzie Career Center



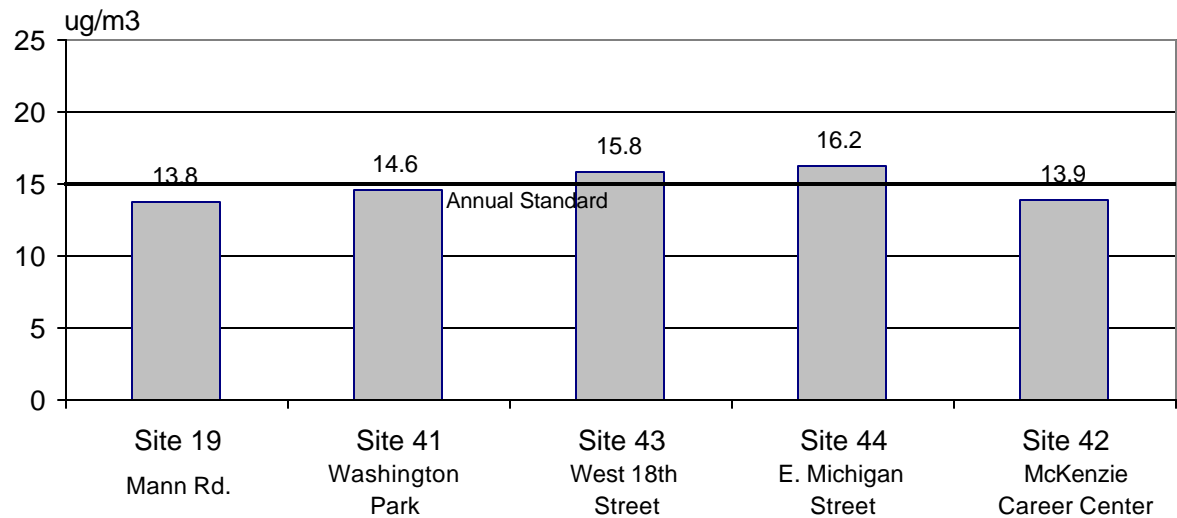
Site 42

	Monthly	YTD
1st High	24.3	24.3
2nd High	16.9	16.9

Particulate Matter 2.5

Annual Averages

January 2003



PARTICULATE MATTER - 2.5 MICRON (PM2.5)
2003
24-Hour Averages (ug/m3)

MONTH		SITE 2	SITE 11	SITE 19	SITE 41	SITE 42	SITE 43	Site 44
JANUARY	DAY							
	1				11.0			
	2				9.2			
	3	18.0	17.4	13.9	16.0	16.9	17.2	17.7
	4				24.1			
	5				22.7			
	6	20.2	20.5	15.2	15.8	15.6	17.5	17.1
	7				19.2			
	8				11.5			
	9	5.7	4.5	4.5	2.9	3.8	3.5	3.7
	10				6.0			
	11				3.2			
	12	9.0	14.6		6.9	6.5	7.7	7.4
	13				8.9			
	14				9.5			
	15	13.6	13.7	8.9	11.4	11.5	12.8	11.1
	16				16.1			
	17				12.3			
	18	18.0	22.9	14.8	16.7	16.1	18.8	17.5
	19				13.0			
	20				13.5			
	21	15.1	13.7	14.1	12.9	13.9	13.1	14.0
	22				12.7			
	23				8.9			
	24		23.5	15.3	14.6	14.6	14.7	18.5
	25				18.0			
	26				13.9			
	27		23.6	14.6	20.8	16.1	23.4	25.5
	28				25.7			
	29				23.2			
	30	28.7	28.5	23.1	26.7	24.3	29.0	29.8
	31				25.9			
	Mon. Avg.	16.0	18.3	13.8	14.6	13.9	15.8	16.2
	YTD Avg.	16.0	18.3	13.8	14.6	13.9	15.8	16.2
	1st Max.	28.7	28.5	23.1	26.7	24.3	29.0	29.8
	2nd Max.	20.2	23.6	15.3	25.9	16.9	23.4	25.5
	PY Avg.	17.1	18.4	15.2	16.1	15.8	14.4	16.7
	3-Yr Avg.	NA	NA	15.1	16.7	16.0	16.1	17.0

PM 2.5 Primary Standards:

Annual Standard:

3-year average of the annual mean concentrations - 15 ug/m3

24-hour Standard:

3-year average of the annual 98th percentile values - 65 ug/m3

PARTICULATE MATTER - 10 MICRON (PM10)
2003
24-Hour Averages (ug/m3)

MONTH		SITE 2	SITE 11	SITE 19	Site 31	Site 44
JANUARY	DAY					
	1					
	2					
	3	18	16	14	17	17
	4					
	5					
	6					
	7					
	8					
	9	15	12	8	11	11
	10					
	11					
	12					
	13					
	14					
	15	25	22	14	21	18
	16					
	17					
	18					
	19					
	20					
	21	21	18	23	19	17
	22					
	23					
	24					
	25					
	26					
	27	27	24	16	32	28
	28					
	29					
	30					
	31					
	Mon. Avg.	21	18	15	20	18
	YTD Avg.	21	18	15	20	18
	1st Max.	27	24	23	32	28
	2nd Max.	25	22	16	21	18
	PY Avg.	21	20	17	22	19

PM 10 Primary

Standards:

Annual Standard:

3-year average of the annual mean concentrations - 50 ug/m3

24-hour Standard:

3-year average of the annual 99th percentile values - 150 ug/m3

Activities Report
From January 1, 2003 to January 31, 2003
Office of Environmental Services
Data Compliance Section

Title V Sources

ID Number	Name	Inspection Date	Flagged
11253-00257	Federal Express	1/29/03	
09602-00156	United Airlines	1/17/03	

FESOP Sources

ID Number	Name	Inspection Date	Flagged
05761-00016	ADM Milling	1/8/03	
07880-00302	Corsi Cabinets	1/29/03	
05572-00057	Dynagear – Ertel Division	1/24/03	
05516-00145	GAC Web Division	1/22/03	

SSOA Sources

ID Number	Name	Inspection Date	Flagged
10444-00102	BMG	1/28/03	X
15139-00231	Deluxe Financial Services	1/31/03	
06255-00188	Kerr McGee	1/16/03	
09911-00332	Ray Skillman	1/28/03	

Permit by Rule Sources

ID Number	Name	Inspection Date	Flagged

State Minor Sources

ID Number	Name	Inspection Date	Flagged

Registration Sources

ID Number	Name	Inspection Date	Flagged

Exemptions Sources

ID Number	Name	Inspection Date	Flagged

Other Sources

ID Number	Name	Inspection Date	Flagged

Stack Tests/CEM

ID Number	Name	Observation Date*	Summary Report Review Date	Pollutant/Parameter Tested	Flagged

06485-00012	DaimlerChrysler Corporation, Indianapolis Foundry	01/08/03		VOC	
07884-00041	Wishard	01/23/03		PM,CO,HCl	

- S = Stack Test R = Relative Accuracy Test Audit for Continuous Emission Monitor(CEM)

YTD Totals

Inspections Completed for Clean Air Act Permit Sources (Title V, FESOP, & SSOA)	Inspections Completed for Non-Title V Permit Sources	Number of Permitted Sources Flagged	Percentage Rate of Sources Flagged at Inspection	Number of Compliance Reports Quality Assured	Number of Stack Test /CEM Observed
10	0	1	10	0	2

NOTICE OF VIOLATION WITHOUT REFERRAL

January, 2003

<u>Date</u>	<u>Name and Location</u>	<u>Regulation Violated</u>	<u>Description</u>
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There was none.

NOTICE OF VIOLATION WITH REFERRAL TO PROSECUTOR

January, 2003

<u>Date</u>	<u>Name and Location</u>	<u>Regulation Violated</u>	<u>Description</u>
08/15/02 10/10/02	Indiana University - Purdue University at Indianapolis 635 Barnhill Drive	14-10-8-1 (a) 2(a) 2(b) 3-2	Emission Standards for Asbestos: Demolition and Renovation Operations.
Prior to 09/12/02 and 09/13/02	Martin Enterprises 50 North Illinois Street	14-10-8-1 (a) (b) (c)	Emission Standards for Asbestos: Demolition and Renovation Operations.
Various Dates 01/17/01 through 11/30/02	Marathon Ashland Petroleum LLC 1304 Olin Avenue	2	Permits: Failure to keep records.
09/12/02	Prairie Material Sales, Inc. 1575 South Senate Avenue	2	Permits: Failure to notify for relocation of plant.
11/18/02	Rieth-Riley Construction Company, Inc. 5165 East 96 th Street	6-4-2	Fugitive dust emissions.
08/14/02 08/15/02 10/10/02	Smoot Construction 2001 West 18 th Street 635 Barnhill Drive 635 Barnhill Drive	14-10-8-1 (a) (b) (c)	Emission Standards for Asbestos: Demolition and Renovation Operations.

WARNING LETTERS

January, 2003

<u>Date</u>	<u>Name and Location</u>	<u>Regulation Violated</u>	<u>Description</u>
During Review Of Part 70 Application	Cargill Dry Corn Ingredients, Inc. 1730 West Michigan Street	2	Permits: Operation without a permit.
04/16/02 - 06/04/02	National By-Products, Inc. 700 West Southern Avenue	2	Permits: Failure to keep records.
12/11/02	Raytheon Technical Services Company 6125 East 21 st Street	2	Permits: Failure to keep records.
11/12/02	Mr. Jason Stine 217 North State Avenue	14-10-3(2)	Emission Standards for Asbestos: Demolition and Renovation Operations.

SOURCE CONFERENCES

January, 2003

<u>Date</u>	<u>Source</u>	<u>Topic</u>	<u>Results</u>
01/07/03	Asbestos Inspection and Removal Company	Met to discuss NOV.	Awaiting additional information.
01/13/03	Speedway SuperAmerica LLC	Met to discuss NOV.	Awaiting additional information.
01/23/03	Prairie Material Sales, Inc.	Met to discuss NOV.	Awaiting additional information.

TICKETS AND SUMMONS ISSUED

January, 2003

<u>Date</u>	<u>Name and Location</u>	<u>Regulation Violated</u>	<u>Description</u>
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There was none.

YTD Totals:

Asbestos Inspections Completed	Mobile Source Inspections Completed	Environmental Inspections Completed	# of Enforcement Actions Taken With Referral	# of Warning Letters Issued	# of Enforcement Actions Taken Without Referral	# of Enforcement Actions Resolved	# of Requests for Enforcement Technical Assistance	# of Complaints	# of Open Burning Warnings
28	13	551	6	4	0	4	83	4	4

CITY OF INDIANAPOLIS
Office of Environmental Services
Air Pollution Enforcement Actions
March 6, 2003
Prepared by Cheryl Carlson

Denotes New Information

EPA Cases --

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
None at this time.						

State Cases --

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 6-4-2(4) A Fugitive Dust Emissions@ 326 IAC 5-1-2(2)(A) A Opacity Limitations@, and 326 IAC 3-5 A Continuous Monitoring of Emissions@	5/8/00 (fugitive dust), 1 st quarter 2000, 2 nd quarter 2000, and 3 rd quarter 2000, 1 st quarter 2001, 2 nd quarter 2001, 3 rd quarter 2001, and 4 th quarter 2001	5/23/01 Revised 6/27/02	6/13/01 8/14/01 Tour of facility	1/14/02 Various correspondences in 2002	
Mead Westvaco Corporation Indianapolis Plant 6302 Churchman Bypass	326 IAC 2-6-3 A Emission Reporting@	4/16/01 and 4/16/02	12/18/02	12/19/02		

City Cases C

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
Aluminum Finishing Corporation 9850 East 30 th Street	2-1(H)(1)(c) A Permits@, Section 1-1(H)(1)(c) (failure to comply with permit conditions)	8/13/99, 8/13/99, 7/21/00 (3 violations), 8/2/99 to 4/19/00, various dates 2/10/98 - 2/19/02, 9/14/00, 10/30/00, 2/21/01, various dates between 4/24/00 and 8/31/01	1/3/00 Revised 8/28/00 Revised 8/28/01 Revised 9/30/02	3/22/00 10/11/00 Stack Testing 4/18/01 and 4/19/01	9/30/02	<u>Dismissed due to bankruptcy of company 1/27/03</u>

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
Asbestos Inspection and Removal Company 7820 Millhouse Road	14-10 A Emission Standards for Asbestos: Demolition and Renovation Operations®, Section 6-1	Prior to 8/20/02	10/9/02	1/7/03	<u>1/31/03</u>	
Bare Mechanical, Inc. 1401 North Bosart Avenue	14-10 A Emission Standards for Asbestos: Demolition and Renovation Operations®, Sections 8(1)(a), (b), and (c)	9/30/02	11/19/02	11/26/02 Additional information received 12/23/02	<u>1/30/03</u> <u>Compliance Agreement signed by company 2/13/03</u>	
Citizens Gas and Coke Utility 2950 Prospect St.	5 A Opacity Limitations®, Section 1-1(2)	10/2/01	12/5/01	1/16/02 Coordinating resolution with IDEM action		
CMW, Inc. 70 South Gray Street	2-1(H)(1)(c) A Permits® (failure to comply with recordkeeping and temperature requirements of halogenated solvent cleaning NESHAPs)	12/2/97 - 11/13/98	2/3/99	3/1/99 Additional information received on 4/15/99 Meeting 6/4/02	5/16/02 Hearing scheduled for 2/20/03 <u>Compliance Agreement signed by company 2/18/03</u>	<u>2/26/03</u> <u>Penalty of \$12,000.00</u>
C.P. Morgan Company, Inc. 3200 South Franklin Road 5300 Five Points Road	6-4-2 A Fugitive Dust Emissions®	7/30/02 and 10/18/02	10/24/02	11/20/02	12/16/02 <u>Compliance Agreement signed by company 1/16/03</u>	<u>2/4/03</u> <u>Penalty of \$1,000.00</u>
D & N Liquor Store 2702 West Morris Street	Chapter 511 A Air Pollution Control Ordinance®, Section 511-702 A Open Burning Restricted; General Prohibitions®	7/16/02 and 10/14/02	10/17/02	Telephone conversation 11/11/02	12/5/02 Compliance Agreement signed by Company 1/14/03	<u>1/27/03</u> <u>Penalty of \$300.00</u>
DaimlerChrysler Corporation - Indianapolis Foundry 1100 South Tibbs Avenue	2 A Permits®, Section 1-1(H)(1)(C) (Failure to comply with permit condition and 511-304(d) (Failure to conduct stack test)	3/3/99, 9/5/01 - 9/7/01, 12/6/01, <u>3/28/01, and 3/20/02</u>	8/3/99 Revised 4/25/02 Revised 1/2/03	10/8/01 9/16/02 Awaiting stack test results from test on 1/8/03		
Double 8 Foods, Inc. 4565 North College Avenue	5 A Opacity Limitations®, Section 1-1(2), 4-2 A Incinerators® and Chapter 511-701 (Air Pollution nuisance)	6/6/02, 6/12/02, 6/12/02, 6/25/02, 7/3/02, 7/10/02	6/10/02 Revised 7/11/02	7/8/02 7/30/02	12/4/02 <u>Compliance Agreement signed by company 2/7/03</u>	<u>2/24/03</u> <u>Permanent closure of all 6 incinerators in lieu of penalty</u>
Goodyear Tire and Rubber Company 1950 West Edgewood Avenue	2 A Permits®, Sections 1-1(H)(1) (c) (failure to comply with permit conditions)	4/15/00, 8/29/00 (3 violations)	1/9/01	2/2/01 Additional information received on 7/11/01		
Indianapolis Shredding Company 311 South Shelby Street	2-1(H)(1)(c) A Permits® (failure of a stack test conducted to determine compliance with permit	9/22/99 and 5/11/01	5/22/00 Revised 6/26/01	8/15/01 10/4/02		

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
	for metal/fluff separator) and 6-4-2 AFugitive Dust Emissions®					
Indiana University - Purdue University at Indianapolis 635 Barnhill Drive	14-10 AEmission Standards for Asbestos: Demolition and Renovation Operations®, Section 8-1(c), 8-2(a), 8-2(b), and 8-2(c)	8/15/02 and 10/10/02	1/8/03	Meeting held on 10/11/02 <u>2/19/03</u>		
Keystone Environmental, LLC 6000 East 21 st Street	14-10 AEmission Standards for Asbestos: Demolition and Renovation Operations®, Section 8-1(a), (b), and (c)	7/2/02	9/23/02	11/18/02 Additional information received 12/6/02	<u>2/3/03</u>	
Marathon Ashland Petroleum, LLC - Speedway Terminal 1304 Olin Avenue	2 APermits®, Section 1-1(H)(1)(C) (Failure to comply with permit condition)	Various dates 1/17/01 through 11/30/02	1/17/03	<u>2/14/03</u>		
<u>Martin Enterprises</u> <u>50 North Illinois Street</u>	<u>14-10 AEmission Standards for Asbestos: Demolition and Renovation Operations®</u> <u>Section 8-1(a), (b), and (c)</u>	<u>9/12/02 and 9/13/02</u>	<u>1/13/03</u>	<u>Telephone conversation</u> <u>2/18/03</u> <u>Meeting held</u> <u>2/25/03</u>		
Mead Westvaco Corporation Indianapolis Plant 6302 Churchman Bypass	2 APermits® 6 Emission Reporting	4/15/02 and 4/15/02	11/12/02	12/19/02 Awaiting additional information from company		
Metalworking Lubricants Company 1509 South Senate Avenue	Chapter 511 AAir Pollution Control Ordinance®, Section 511-701	11/1/01	12/10/01	1/16/02		
Prairie Material Sales, Inc. 1575 South Senate Avenue	2 APermits®, Section 1-1(H)(1)(C) (Failure to comply with permit condition)	9/12/02	1/6/03 Relocation letter issued by IDEM 10/7/02	1/23/03	<u>1/28/03</u>	
Rieth-Riley Construction Company, Inc. 5165 East 96 th Street	5 AOpacity Limitations®, Section 1-1(2)	5/22/02	6/5/02	Correspondence received 6/24/02 Meeting 7/31/02	11/7/02 <u>Compliance Agreement signed by company 1/17/03</u>	<u>2/4/03</u> <u>Penalty of \$1,600.00</u>
<u>Rieth-Riley Construction Company, Inc.</u> <u>5165 East 96th Street</u>	<u>6-4-2 AFugitive Dust Emissions®</u>	<u>11/18/02</u>	<u>1/28/03</u>	<u>Correspondence received 12/13/02</u>	<u>1/28/03</u>	
Rinker Materials, Inc. 1030 South Kitley Avenue	6-4-2 AFugitive Dust Emissions®	9/6/02 and 9/13/02	9/18/02	9/30/02 Correspondence received 10/14/02	1/2/03 <u>Compliance Agreement signed by company 2/10/03</u>	
Smoot Construction, LLC	14-10 AEmission Standards for Asbestos:	8/14/012, 8/15/02, and 10/10/02	1/9/03	Meeting held on		

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
2001 West 18 th Street 635 Barnhill Drive	Demolition and Renovation Operations®, Section 8-1(a), (b), and (c)			10/11/02		
Speedway SuperAmerica LLC 4535 Shadeland Avenue 5959 Southeastern Avenue	8-4 APetroleum Sources®, Section 4 (Leaking vent caps)	8/23/02 and 10/22/02	11/12/02	1/13/03 <u>Additional information from company received 1/30/03</u>	<u>2/10/03</u>	
Statewide Medical Services and Supply, Inc. 3601 East 9 th Street	2 APermits®, Section 1-1(H)(1)(c) (Failure to comply with permit condition) and 511-304(a) (Failure to submit a permit application)	Various dates 9/5/01 through 9/21/01 (9 days), 10/30/01, and 1/19/02	5/20/02	6/11/02		
<u>Wishard Health Services</u> <u>1001 West 10th Street</u>	<u>2 APermits®, Section 1-1(H)(1)(a), (b), and (c) (failure to provide sulfur content, late submittal of natural gas certification and Compliance Monitoring Report, missing records, late submittal of parameter testing, and construction without a permit)</u>	<u>4/15/02, 1/31/02, 4/22/02 - 6/30/02, 2/7/02 - 3/31/02, 4/10/02, and prior to 1/27/01</u>	<u>1/27/03</u>	<u>2/7/03</u>		

January 9, 2003 - APPROVED AS AMENDED - February 13, 2003
INDIANAPOLIS AIR POLLUTION CONTROL BOARD
CITY OF INDIANAPOLIS

The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled Meeting on January 9, 2003 at 9:30 a.m. in Room 107 of the City-County Building.

THOSE PRESENT WERE:

Robert Daly, Chairman
Bernie Paul, Vice Chairman
Dennis Achgill, Member
Bill Brown, Member
Chuck Fraley, Member
Roland Salman, Member
Bruce Wallace, Member
John Chavez, Technical Secretary
Matt Senseny, Board Counsel

ABSENT:

Tom Barnard, Member
Tom Rarick, Member

GUESTS PRESENT:

Wade Kohlmann, Citizens Gas & Coke Utility
Richard Van Frank, Improving Kid's Environment

RE: CALL TO ORDER - REGULAR MEETING

Dr. Robert Daly called the meeting to order.

RE: ADOPTION OF AGENDA

Dr. Daly solicited modifications to the Agenda. There was one addition presented by Dr. Daly.

1. Under item (5) Staff Reports (g), Discussion on President Bush's approach to diesel exhaust from off road vehicles and its impacts.

Mr. Bruce Wallace made a motion the Agenda be adopted as amended. Mr. Bernie Paul seconded the motion and said motion carried.

RE: ANNOUNCEMENTS

Mr. John Chavez introduced Mr. Tom Hipple who filled the vacant Sr. Project Manager in the Planning Section of the Office of Environmental Resources (OES). Mr. Hipple has approximately thirty (30) years of legislative and regulatory experience. His primary focus will be the ordinance updates and regulatory development. Mr. Chavez stated there will be an Ordinance Review Committee Meeting on February 13, 2003 and will begin addressing Regulation 1-2-3.

RE: APPROVAL OF MINUTES

Dr. Daly solicited modifications to the Minutes for the December 12, 2002 meeting. There were two (2) corrections. First, on page 3 under Notice of Violation/Agreed Judgement Activities Report a source was spelled incorrectly "Jackson Oil & Solevants, Inc." should read "Jackson Oil & Solvents, Inc." Second, on page 6 under Adjournment it states "Mr. Brown seconded the motion" when it should read "Mr. Achgill seconded the motion". Mr. Wallace made a motion that the Minutes be approved as amended. Mr. Paul seconded the motion and said motion carried.

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The Board inquired if there was any update on the new website that the Environmental Protection Agency (EPA) has called ECHO (Enforcement & Compliance History On-line). Mr. Chavez is aware DPW staff is looking at the ECHO website and the City has concerns regarding the accuracy of the data. Mr. Chavez expects EPA to receive numerous comments and concerns from industries, states, and local governments.

RE: STAFF REPORTS - November 2002, Monthly Activities Report

(Air Monitoring Activities Report)

Mr. Aaron Childs updated the Board on the Air Monitoring Activities for November 2002. He stated the Air Quality Index (AQI) for November 2002 was in the good to moderate categories, which is typical for the month of November.

Mr. Childs stated on the sixth page of the Air Monitoring report, he provided three-year averages for PM 2.5 as the Board requested at the last APCB meeting. There are not three-year averages for site 2 and site 11 because the annual standard does not apply to them. They are middle scale sites and the annual standard only applies to neighborhood sites. However, the 24-hour standard does apply to them.

(Permit Activities Report)

Mr. Rick Martin updated the Board on the Permit Activities Report for November 2002. There were four (4) permit decisions made and three (3) applications for various types of permits received in November 2002. During the month of November 2002, the permitting group attended two days of training at the Indiana Department of Environmental Management (IDEM) for new source review. They also conducted Request for Proposal interviews for permitting contractors.

The Board inquired if the new source review training included discussion on the new regulations. Mr. Martin stated he thought the training covered enforcement issues. He would confirm and report back to the Board.

The Board inquired what the number of total number of Title V sources in Marion County. Mr. Martin stated there is approximately thirty-four.

TITLE V: There were sixteen (16) in process, zero (0) issued, and zero (0) received in November 2002.

FESOP's: There were six (6) in process, zero (0) issued, and two (2) received in November 2002.

FESOP Renewal: There were twenty-five (25) in process, zero (0) issued, and zero (0) received in November 2002.

SSOA's: There was four (4) in process, zero (0) issued, and one (1) received in November 2002.

CONSTRUCTION PERMITS/MODIFICATIONS: There were thirty-nine (39) in process, zero (0) issued, and zero (0) received in November 2002.

TITLE V AND FESOP MODIFICATIONS/AMENDMENTS: There were thirty-six (36) in process, three (3) issued, and one (1) received in November 2002.

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MINOR SOURCE OPERATING PERMITS, MODIFICATIONS/AMENDMENTS: There were thirty (30) in process, zero (0) issued, and one (1) received in November 2002.

EXEMPTIONS: There were nine (9) outstanding, zero (0) issued, and zero (0) received in November 2002.

PERMIT BY RULE: There were zero (0) outstanding, one (1) issued, and zero (0) received in November 2002.

(Stationary Source Compliance Activities)

Mr. Matt Mosier updated the Board on the Compliance Activities Report for November 2002. During the month of November, compliance staff inspected four (4) Part 70 sources and six (6) FESOP sources. There were no sources flagged. There were four (4) stack tests observed during the month as well. There were no problems observed. The compliance rate at inspection has dropped from 20% to 17%.

(Notice of Violation/Agreed Judgement Activities Report)

Ms. Cheryl Carlson updated the Board on the Enforcement Activities Report for November 2002. During the month of November, two (2) Notice of Violations (NOV) without referral, three (3) NOV's with referral, one (1) ticket for open burning and seven (7) Warning Letters were issued. There was also six (6) source conferences held.

New Information:

Aluminium Finishing Corporation - Source has filed bankruptcy. The City has decided not to pursue the case. The information will be reflected in next month's report.

Asbestos Inspection and Removal Company - Met with company January 7, 2002 to discuss NOV that was issued for violation of Emission Standards for Asbestos: Demolition and Renovation Operations.

B&W Auto Sales - A Compliance Agreement was signed on December 10, 2002.

CP Morgan Company, Inc. - A Proposed Compliance Agreement was sent to the company on December 16, 2002.

D & N Liquor Store - A Proposed Compliance Agreement was sent to the company on December 5, 2002.

Double 8 Foods, Inc. - A Proposed Compliance Agreement was sent to the company on December 4, 2002.

Hawk's Auto Sales - A Compliance Agreement was signed by the company on December 3, 2002.

Hunt Paving, Inc. - A Compliance Agreement was signed by the company on December 5, 2002.

Jackson Oil and Solvents, Inc. - A Compliance Agreement was signed by the company on November 25, 2002.

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JAS Trucking, Inc. - A Compliance Agreement was signed by the Administrative Hearing Officer and a penalty of \$500.00 was assessed.

Jet Star, Inc. - A Compliance Agreement was signed by the company on December 6, 2002.

Weihe Construction, Inc. - A Compliance Agreement was signed by the company on December 12, 2002.

Mr. Dick Van Frank of Improving Kid's Environment inquired about the status of the cases that appear on the Air Pollution Enforcement Actions report that have not had any activity for some time. He feels the enforcement actions need to move forward more quickly. Ms. Carlson indicated that resolution of the older cases involve complicated issues which require coordination with the source, IDEM, and the City. In a lot of outstanding cases, there is continued interactions that are not recorded on the report due to the confidentiality of settlement discussions.

The Board suggested revising the report to include a date of the most recent contact with the source even if it is informal contacts i.e. phone call. This will more accurately reflect the ongoing efforts of OES staff for resolution of the cases. Ms. Carlson stated she would include more information on the report revise the report to more accurately reflect most recent contact with sources.

The Board inquired in the DaimlerChrysler case, does the source continue to operate in violation of the air standards until the case is resolved? Ms. Carlson stated the construction permit conditions were reviewed to determine the appropriate standard. The source must demonstrate compliance with the air standards.

Mr. Paul stated he really liked the frequent updates received through the Monthly Activities Report. He stated last month IDEM held a meeting and the question was asked how could the State's regulatory process be improved. He made the suggestion at the meeting that the staff at IDEM provide a report similar to the Monthly Activities Report to the State's Air Pollution Control Board. This will enable them to have a more realistic perspective about what goes on in the air program. He complimented OES staff on their reports and said it is a model on how staff and Boards should work together.

(School 21)

Mr. Chavez stated he met with IDEM in December 2002 to discuss confidentiality issues and some assurances for Citizens Gas & Coke Utility (CG&CU) in participation of the audit that is included in the grant agreement. He stated he misspoke at an early meeting and had stated a local organization would be performing the audit for IDEM. He has since found out that IDEM will be contracting with Research Triangle Institute to do the audit because they have specific expertise in coke oven emissions. Therefore, a determination needs to be made on what kind of confidentiality Research Triangle Institute will have relative to EPA communications on this issue. He is still waiting to hear from IDEM due to the holidays.

Mr. Childs updated the Board on the placement of the equipment. He stated he has spoke with Mr. Dick Zeiler of IDEM and they did get approval to locate the equipment and building at the designated site on the south side of School 21. IDEM has begun receiving the equipment and supplies that have been ordered. IDEM is still waiting to get bids for moving the site building to the location. Mr. Zeiler anticipates the bids will be received in the next two weeks. It is expected the sites will be set up in approximately 1-2 months.

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The next meeting concerning School 21 would be on January 15, 2003 at 2:00 p.m. at the DPW Training Center located at 2700 South Belmont Avenue.

The Board inquired when will the collection of data begin? Mr. Chavez stated once the equipment is placed and quality assured data collection should begin within a week. Staff is approximating 2-3 months.

(Ozone Flex Program)

A packet was distributed to the APCB, which included a thank you letter for participating and agreeing to help the City of Indianapolis reduce ozone. Also included was a copy of the Early Action Compact Agreement (EAC) which was submitted to EPA Region V. Mr. Chavez read the list of participants that have signed on to work with the City. Discussions have continued with Morgan County and they have now expressed an interest in participating. A meeting has been scheduled with Boone and Morgan Counties to discuss some of their additional concerns.

Earlier this week Ms. Jodi Perras, Ms. Barbara Lawrence, and Mr. Chavez met with the Deputy Administrator of EPA Region V to discuss the submission of the EAC. The City of Indianapolis was the only EAC submitted in Region V. Region V is very willing to work with the City and offered to provide support on the technical issues and guidance to stay with the timeline set forth in the EAC.

A series of conference calls and meetings are being scheduled to discuss the technical issues such as the modeling and inventory development. A kick-off meeting of the Steering Committee will be held by the end of January 2003 or beginning of February 2003. Mr. Bernie Paul and Mr. Dennis Achgill will represent the APCB on the Steering Committee.

The City of Indianapolis has entered into a Professional Services Agreement with Sonnenschein, Nath & Rosenthal to have them assist the City in setting up guidelines of operation and decision making. Ms. Mary Gade of Sonnenschein, Nath & Rosenthal is the primary principal working with the City to develop the policy portion of the EAC. Ms. Gade is formerly with the Illinois EPA and was also very instrumental in the Ozone Transportation Assessment Group in northeastern states. Mr. John Seitz of Sonnenschein Nath & Rosenthal is another principal working with the City on the technical portion of the EAC. Mr. Seitz was formerly with the Office of Air Quality Planning and Standards at EPA. He was very instrumental in the development of the Ozone Flex Program at the national level.

The Board inquired about the Department's response to the article in the newspaper. Mr. Chavez stated staff has began dialogue with the counties quoted in the article. There were some inaccuracies in the article. He stated the most obvious one is there is a perception that the ozone flex program itself is a non-funded mandate. However, this is not the case. It is a voluntary program to avoid non-funded mandates.

Ms. Perras stated the article was not as accurate as it could have been because it implied the Ozone Flex Program was dying because three counties have still not signed on. Those counties have not said "no" to the Ozone Flex Program. They still have questions, which is understandable because of the nine counties only Marion County has been in non-attainment **for the one-hour standard**. They have questions such as what does non-attainment mean and what kind of impact will this have on the county they represent. There are also questions as to how this process is going to work and how will the decisions be made. The City has committed to everyone they have presented that this needs

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to be a regional collaborative and everyone will have a say at the table. The Ozone Flex Program also allows each county to design measures that work best in their counties. It is recognized that what works in one county may not work in another county.

The Board inquired how the meetings were conducted with the counties that did not sign on. Ms. Perras stated she and Mr. Chavez met with individual counties one on one. The next steps are to meet with the counties that have not signed on in a group meeting, which will include IDEM. It was suggested by the Board to invite the counties that have signed on to the meeting. Ms. Perras stated the City would like to schedule the first meeting of the Steering Committee and will invite the counties that have not signed on. It is important for the groups to begin working together and start learning and understanding the issues, problems and possible solutions.

The Board stated the article said if the EAC was not submitted by December 31, 2002 that it would be too late to submit one. Ms. Perras stated that the EAC was sent Fed Ex on December 30, 2002 and arrived on December 31, 2002. The deadline was met. In the documents sent, the City noted that there were still three counties that have not signed on. She pointed out that when the EAC was submitted, the City thought that Morgan County had said no. Since then, Morgan County has clarified that they are interested in participating, but there are issues that need to be addressed. The City has since communicated to EPA that Morgan County is interested in participating.

The Board inquired if it was true that without the three counties that had not signed on if the EAC will be still accepted by the EPA. There was discussion about this at the meeting with the EPA early this week and they did not say one way or another. There are other organizations that have signed on that extend into the urban county areas (i.e., Metropolitan Planning Organization and the City of Greenwood).

The Board inquired what impacts will the route for I-69 have on these issues and is the State taking this into account in its routing decisions. The chosen route will impact the analysis when the modeling and technical work are done. The announcement of the route will be made today. The State will need to do an environmental impact statement on the I-69 project. Air quality issues as well as wetlands issues will be addressed in the environmental impact statement.

The Board asked if the composition of the Steering Committee is limited to the organizations that have signed on to the EAC. Ms. Perras stated Ms. Gade would be developing different models to be used for structuring the Steering Committee and possibly a Technical Committee. The voting members of the Steering Committee need to be elected officials or their designee. There will be other stakeholders participating as advisors or as non-voting members of the Steering Committee. It is anticipated that other groups involved in the process will include businesses, citizen groups, environmental groups, organizations with large transportation fleets etc., so that anyone who has a stake in this is involved from the beginning.

(Discussion on Off Road Diesel Sources)

Dr. Daly stated he heard on the radio this morning that EPA is in the process of rule making regarding off road diesel sources such as heavy equipment and diesel generators. Mr. Martin stated the EPA has been working on this issue for several years. They have been reviewing and have been looking at additional diesel sources beyond what is historically been taken care of i.e. on road diesel vehicles. EPA has put rule making together for off road gasoline sources and diesel sources are their next step. It was

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stated it would be interesting to see if these standards would apply to farm equipment and what will be the economic impact.

RE: UNFINISHED BUSINESS

There was none.

RE: NEW BUSINESS

There was none.

RE: ADJOURNMENT

Mr. Brown made a motion the meeting be adjourned. Mr. Wallace seconded the motion and said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on February 13, 2003 at 9:30 A.M. in room 107 City-County Building.

AIR POLLUTION CONTROL BOARD

Dr. Robert Daly, Chairman

ATTEST:

John B. Chavez, Technical Secretary
Indianapolis Air Pollution Control Board

Date: _____